

O P E
AUG 25 2003

Practitioner's Docket No. MPI00-332P1RM (formerly MNI-188)

PATENT RECEIVED
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Meyers, Rachel E., et al
Application No.: 09/945,254 Group No.: 1652
Filed: August 31, 2001 Examiner: Manjunath N. Rao
For: 8797, A NOVEL HUMAN GALACTOSYLTRANSFERASE AND USES
THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. SECTION 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed April 22, 2003, finally rejecting claims: 32-45 and 49-56.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

08/28/2003 MBERHE 0000006 501668 09945254
01 FC:1401 320.00 DA

This application is on behalf of

other than a small entity.
 a small entity.

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

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TRANSMISSION

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Signature

[Signature]
Sean Hunziker/Carolyn Willey
(type or print name of person certifying)

Date: August 21, 2003

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. Section 1.17(b), the fee for filing the Appeal Brief is:

<input type="checkbox"/> small entity	\$160.00
<input checked="" type="checkbox"/> other than a small entity	\$320.00
Notice of Appeal fee due	<u>\$320.00</u>

3. EXTENSION OF TERM

Applicant is requesting an extension of time concurrently herewith.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	<u>\$320.00</u>
Extension fee (if any)	<u>\$0.00</u>
TOTAL FEE DUE	<u>\$320.00</u>

5. FEE PAYMENT

Attached is a check in the sum of \$_____.

Charge Account No. 501668 the sum of \$320.00_____.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 501668_____.

AND/OR

If any additional fee for claims is required, charge Account No. 501668_____.

August 21, 2003_____

MILLENNIUM PHARMACEUTICALS, INC.

By Jean M. Silveri_____

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